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US Department of Transportation Dockets  
Docket No. FAA-1999-6673 - 24  
400 Seventh Street SW  
Room Plaza 401  
Washington, DC 20590

REF: NPRM Certification of Screening Companies

To Whom It May Concern:

Horizon Air respectfully submits the following comments on the Department of Transportation's Notice of proposed Rulemaking on the Certification of Screening Companies contained in Docket No. FAA-1999-6673; Notice 99-21.

Horizon generally supports the proposed Rulemaking intended to enhance all aspects of passenger and cargo screening. We support the increased use of technology. We agree that a clear standard of security procedure and expectations be required for all Security Companies.

We are concerned that the enactment of the proposed Rulemaking will have a burdensome financial impact on Horizon Air and other regional carriers. Horizon currently does its own screening in some stations and we are unsure if we will have to become a Certified Screening Company or not. This ambiguity needs to be clarified and the financial and legal impact assessed. Another economic impact will be the increase in charges that a new Certified Screening Company will pass on to the industry and any fees or charges that the FAA will propose for certification.

Horizon is concerned that the Government does not inadvertently create a cumbersome system of accountability that will make it more difficult for the new certified security partners through out the country. We are also concerned about the time and money that could be spent just to administer the system of background checks and audits. This is especially critical to regional carriers with limited financial and labor resources.

We strongly disagree with the FAA's proposal that enforcement action will be taken against both the air carrier and the screening company in all cases. This does not make the certified screening company fully accountable for their non-compliance when the air carrier has complied with the conditions of the Air Carrier Standard Security Program. If the screening company is to be certified, they need to accept the accountability that goes along with it.

Further Horizon Air supports the certification of screening companies but asserts that the FAA should provide total oversight. Since the legitimacy of certification flows from the FAA, so should the accountability of the screening company be to the FAA. The accountability of the screening company to the FAA should be assessed through FAA auditing, testing and regulation governing operation and approval of training of screeners. To place the airlines in the middle of the relationship dilutes the impact of the accountability to the FAA. REF: 111.1, 108.201, 109.203 and 129.25

Horizon has an interest in how screening companies as a group will address their concerns to the FAA. Air Carriers have Principal Security Inspectors (PSI) and major airports have Federal Security Managers (FSM). REF: 111 .1

Re-certification every five years does not seem cost effective because screening companies will be closely audited and tested throughout this 5 year period. REF: 111.1

While we support the enforcement of prohibitions against interference with screening personnel, specifics need to be more clearly detailed. What Law Enforcement Agency will be responsible for enforcement and how will this information be presented to the Agency? What actions would constitute interference? Is there a period for reporting these incidents? How will the public become aware of this new ruling? REF: 111.9

Expediency dictates that the distribution of Security Directives be directly from the FAA. REF: 111.101

The Air Carrier Standard Security Program (ACSSP) should be the only reference document for the screening companies. The ACSSP should have a separate section for the conducting of screening and the screening company would be responsible to comply with those provisions. If another security program is established, it will create yet another document system affecting passenger screening. Limiting the reference sources will decrease the exposure to lower performance through confusion. REF: 111.103, 111.105 and 111.107

How does the FAA propose to advise the air carriers of the fact that the company is no longer certified to conduct screening? REF: 111.109

The requirement of having copies of screening company operations specifications at each airport is an added cost and appears to be unnecessary. The FAA has this information as part of the certification process and a copy is available at the screening company corporate office. REF: 111.113

There appears to be no provision for the FAA to advise the air carriers when the Administrator amends a screening company's operations specifications or security manual. This notification can be accomplished electronically by the FAA. REF: 111.115

Can the FAA control the number of checkpoints a screening company may operate throughout the country and or at a specific airport? REF: 111.115

The FAA should electronically provide the air carriers with the complete enforcement record of a certified screening company. This would aid in selection process of a new company to represent the air carrier. REF: 111.117

FAR 109 Indirect Air Carrier testing will create an unnecessary layer of inspections and cause more confusion the screening process. The scheduling and conducting of this testing would produce an administrative dilemma. REF: 111.117

In the current environment, the FAA should electronically provide the air carriers and the screening companies a listing of those Law Enforcement Agencies authorized to carry firearms onboard airplanes. REF: 111.201

At Horizon, as well as other regional carriers, Ground Service Coordinators are not always supervisory personnel. Some smaller stations have only a manager or a manager and a supervisor and it is not possible for supervisory people to cover all GSC shifts. Company policy provides for job performance oversight only by trained supervisory personnel. Therefore, Ground Security Coordinator is not necessarily a position qualified to determine an employee's capability to continue employment. This is the prerogative of management.  
REF: 111.205 (a)(5)(d)

Horizon concurs that an instructor must have actual screening experience, however the FAA has not yet described the FAA screener knowledge-based and performance testing standards for this position. The statement that the instructor receives a briefing regarding the objectives and standards of the course does not clarify who is to conduct this briefing.  
REF: 111.211

Horizon believes that the FAA, air carriers and screening companies work together to develop a national training and testing program. REF: 111.215

Horizon disagrees with the requirement that an air carrier employee monitor all testing. This creates training and specialization issues that are hard to accomplish in many small cities served by regional carriers. Many regional carrier stations are so small that the agents recognize most of the passengers, not to mention employees testing them. It is unreasonable to expect realistic tests to be conducted under such conditions. There is not adequate justification for the FAA to impose related staffing burdens and costs.  
REF: 111.215 (e)

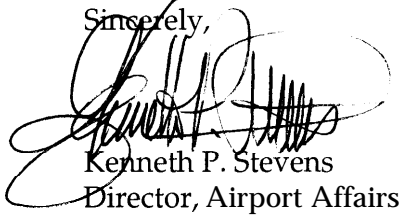
The transfer of records for filing should not be to the air carrier but to the FAA as the National Certification Record Source. The FAA should be the depository of all certification records. One immediate benefit would be increased ease of an employee to relocate to another part of the country with any carrier. The original carrier for whom the employee worked may not operate in all parts of the country. The FAA should consider the records be electronically filed. REF: 111.221

Horizon supports the use and deployment of the Treat Image Projection Systems (TIP) By the FAA. It is important that there be a clearly defined procedure established as to how the testing will be utilized to establish performance based criteria for certification of screeners. REF: 111.223

Since the market drives levels of service, it is inappropriate for the FAA to post signs at locations that the FAA determines to be "slower" than normal. The FAA has no discernable role in the assessment of service delivery. This provision should be deleted. REF: 108.211(1),\_129.25(0)

Thank you for this opportunity to comment on the NPRM (Docket No. FAA-199-6673.)

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth P. Stevens', is written over a circular stamp. The signature is fluid and cursive.

Kenneth P. Stevens  
Director, Airport Affairs

cc: Candace Ducharme - FAA  
Deborah C. McElroy - RAA